

REMARKS

This Amendment is filed in response to an Office Action mailed on July 3, 2001, a response to which is due no later than October 3, 2001. Accordingly, this Amendment is being timely filed.

In the Office Action, the Examiner has rejected claims 2, 15, 16, 34-37, 41, 42, 44 and 45 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant first notes that the Examiner has made no prior art rejection of claims 2, 15, 16, 34-37, 41, 42, 44 and 45, and has indicated that those claims would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. § 112. As set forth in more detail below, applicant respectfully submits that each of the Examiner's rejections of claims 2, 15, 16, 34-37, 41, 42, 44 and 45 have been overcome and those claims are thus allowable.

Turning now to the specific rejections set forth by the Examiner in the Office Action, the Examiner states that claims 2, 15, 35 and 41 are indefinite because the term "the Internet" recited in each of those claims lacks proper antecedent basis. The Examiner also states that claims 16, 36 and 42 are indefinite because they depend from one of claims 2, 15 and 35, and thus incorporate the alleged deficiencies of those claims. The failure to provide explicit antecedent basis for a term does not always render a claim indefinite if the scope of the claim would be reasonable ascertainable by those skilled in the art. See, e.g., MPEP §2173.05(e) and *Ex parte Porter*, 25 USPQ2d 1144, 1145 (Bd. Pat. App. & Inter. 1992). Applicant respectfully submits that in view of the ubiquity of the Internet, a person skilled in the art can reasonable ascertain the scope of the claims of the present application that include the term "the Internet." Applicant thus respectfully requests withdrawal of the Examiner's rejection of claims 2, 15, 35 and 41 under 35



U.S.C. § 112. In view of the remarks provided above with regard to claims 2, 15, 35 and 41, applicant respectfully submits that the Examiner's rejection of claims 16, 36 and 42 is no longer tenable, and respectfully requests withdrawal of that rejection.

As for the Examiner's rejection of claims 34-37, applicant's amendment of claim 34 obviates that rejection.

The Examiner has also states that claims 42, 44 and 45 are indefinite because the term "the machine" lacks proper antecedent basis. Claim 42 depends from claim 40, which is directed to "A method for monitoring a machine..." (Emphasis added). Applicant respectfully submits that the term "a machine" in the preamble of claim 40 provides proper antecedent basis for the term "the machine" recited in each of claims 42, 44 and 45. Thus, applicant respectfully submits that the Examiner's rejection of claims 42, 44 and 45 under 35 U.S.C. § 112, as being indefinite is no longer tenable, and further respectfully requests withdrawal of that rejection.

Applicant respectfully submits that the Examiner's rejection of claims 2, 15, 16, 34-37, 41, 42, 44 and 45 under 35 U.S.C. § 112 have been overcome and, as indicated by the Examiner, those claims are now allowable.

The Examiner has also rejected claims 24-26, 33, 52-54, 61, 65 and 68 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,727,135 to Webb et al. Applicant respectfully traverses that rejection.

Webb et al. discloses a system for monitoring the status of a plurality of printers connected to a host, either directly or via a LAN (see, e.g., FIG. 9), and for providing a graphical display at the host of a status for each connected printer. Webb et al. discloses displaying the status information of each of a plurality of printers in a single installation area, i.e., the LAN depicted in FIG. 9 ostensibly representing an installation area. However, Webb et al. neither



teaches nor suggests displaying the status information of each of the plurality of machines (i.e., printers) in installation area units, as recited by claims 24, 52, 65 and 68. In fact, Webb et al. teaches merely displaying the status information of a plurality of printers, without any indication to a viewer as to the location of any of the printers, and thus provides no information about the installation area (i.e., location) of each of the plurality of printers. Moreover, Webb et al. provides no teaching or suggestion regarding the desirability of displaying location information for any of the plurality of printers. Nor does Webb et al. teach or suggest the desirability of displaying which of the plurality of printers are located together (e.g., connected to the host via the same LAN). Thus, applicant respectfully submits that Webb et al. neither teaches nor suggest his invention, as recited by claims 24-26, 52-54, 65 and 68. In contrast to Webb et al., applicant's invention recites "displaying the status information...in installation area units of the plurality of machines." See, e.g., claim 24. Thus, applicants invention provides status information on a plurality of printers, and provides that information in installation area units to facilitate more efficient and flexible servicing of printers, for example.

Turning next to the Examiner's rejection of claim 33, applicant respectfully traverses that rejection. Webb et al. teaches a plurality of printers connected to a host either locally (e.g., via a Centronics or similar connection) or via a LAN. See, e.g., column 5, lines 65-67. Thus, Webb et al. discloses connecting the printers to the host via a single network. In contrast, applicant's claim 33 recites connecting "the plurality of machines to be monitored through a first-type computer network for sending status information of the plurality of machines to be monitored to a second-type computer network." Thus, applicant respectfully submits that Webb et al. neither teaches nor suggests his invention, as recited by claim 33.

Regarding the Examiner's rejection of claim 61, applicant respectfully traverses that rejection. As noted above with regard to claim 33, claim 61 is directed to a "A computer-readable medium storing thereon a program for causing a computer connected to a plurality of machines to be monitored through a first-type computer network to execute...a local information transmission step of sending the status information to a second-type computer network." Nowhere in Webb et al. is there a teaching or suggestion of first- and second-type computer networks. In fact, and as noted above, Webb et al. discloses either a hard-wired connection or connection via a LAN. Thus, applicant respectfully submits that claim 61, and the claims that depend therefrom, are not anticipated by Webb et al.

With regard to the Examiner's rejection of claim 65, applicant respectfully traverses that rejection. Webb et al. neither teaches nor suggests displaying the status information of each of the plurality of machines (i.e., printers) in installation area units, as recited by claim 65. In addition, applicant respectfully submits that FIG. 3 of Webb et al. depicts a "functional block diagram of a controller for the printer of FIG. 1." See, e.g., column 5, lines 21-22 and column 9, lines 59-60. Element 139 of FIG. 3 of Webb et al. is thus a memory device provided within a printer. Applicant's invention, on the other hand, as recited by claim 65, is directed to a computer-readable medium for causing a computer to carry out certain steps with regard to a plurality of machines (i.e., printers) to be monitored. Applicant thus respectfully submits that FIG. 3 of Webb et al. does not disclose his invention, as recited by claim 65. In addition, for the reasons stated above with regard to by claim 24, applicant respectfully submits that claim 65 is patentable over Webb et al.



Applicant thus respectfully submits that the Examiner's rejection of claims 24-26, 33, 52-54, 61, 65 and 68 under 35 U.S.C. § 102(b) as anticipated by Webb et al. is no longer tenable, and respectfully requests withdrawal of those rejections.

Moreover, applicant respectfully submits that his invention is not obvious in view of Webb et al., whether considered alone or in any hypothetical combination of Webb et al. and any prior art or the knowledge of a person of ordinary skill in the art.

Applicant has considered the prior art of record, and respectfully submits that none of the references of record in the present application, considered alone or in any hypothetical combination (between and among each other or with the knowledge of a person of ordinary skill in the art), teach or suggest applicant's invention, as recited by the claims of the present application.

Applicant respectfully requests reconsideration of the present application in view of the amendments to the claims and the remarks provided herein.

Page 9 of this Amendment, titled VERSION WITH MARKINGS TO SHOW CHANGES MADE TO THE APPLICATION, indicate the changes made to the claims in accordance with this Amendment.

Early and favorable consideration of the present application in view of the amendments to the claims and remarks provided herein is respectfully requested. If the Examiner is not in a position to allow all claims as presently amended, the Examiner is urged to call the undersigned at 212-806-5400.



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Any additional fees or charges required at this time and in connection with the present application may be charged to Deposit Account No. 19-4709.

Respectfully submitted,



Lawrence Rosenthal
Registration No. 24,377
Attorney for Applicant
STROOCK & STROOCK & LAVAN LLP
180 Maiden Lane
New York, New York 10038-4982
(212) 806-5400

VERSION WITH MARKINGS TO SHOW CHANGES MADE TO THE APPLICATION

34. (Amended) The machine monitor system of claim 33, wherein the status information includes a plurality of pieces of information ~~add~~ and said local monitor unit comprises:

local information getting means for getting the status information from the plurality of machines through the first-type computer network;

local information retention means for retaining the status information gotten by said local information getting means; and

local information transmission means for transmitting at least a part of a plurality of pieces of the status information retained in said local information retention means to said integrated monitor unit through the second-type computer network, and wherein

said integrated monitor unit comprises:

global information getting means for receiving the status information through the second-type computer network;

a database for storing information concerning the plurality of machines;

database management means for updating said database based on the status information gotten by said global information getting means; and

display means for displaying the information stored on said database.

65. (Amended) A computer-readable medium storing a program for causing a computer connected to a plurality of machines to be monitored through a computer network to execute:

a global information getting step of getting status information indicating an operation state of each of the plurality of machines to be monitored through the computer network;

a database management step of updating a machine database storing monitor information of the plurality of machines based on the status information; and

a display step of displaying the information stored on the machine database on a display in

installation area units of the plurality of machines.